SENATE BILL 7008
By McNally

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 27, relative to forfeiture of state health benefits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-27-203, is amended by designating the current language as subsection (a) and by inserting the following as a new subsection (b) thereto:

(b) No person may elect to retain state employees' health group insurance pursuant to this section, nor shall such person's surviving spouse or dependent children be eligible to make such an election, if that person is convicted in any court of this state, or in any federal court, of a felony arising out of that person's official employment or official capacity. Upon initial conviction, or upon a plea of guilty or nolo contendere, any person subject to the provisions of this section who is already making an election to receive state employees' health group insurance shall have that benefit stopped immediately without being entitled to any refund of premiums, copayments or other costs previously paid to retain the insurance. In the event the conviction of such person is later overturned in any court and such person is acquitted, or is granted a full pardon, the person shall be restored to all rights, privileges and benefits as if the conviction had never occurred.

SECTION 2. If the provisions of this act are declared to be invalid by a court of competent jurisdiction and such determination has become final, then the former provisions of 8-27-203, as such section existed immediately prior to the effective date of this act, shall be

revived and be in full force and effect as if such provisions had remained in full force and effect at all times.

SECTION 3. With respect to current members of the Tennessee General Assembly, this act shall take effect January 1, 2007, the public welfare requiring it. With respect to all other persons, this act shall take effect upon becoming a law, the public welfare requiring it.